

## **MINUTES**

### **UTAH BOARD OF MASSAGE THERAPY Meeting**

**September 20<sup>th</sup>, 2011**

**Room 464 – Fourth Floor – 9:00 a.m.  
Heber M. Wells Building  
Salt Lake City, UT 84111**

**CONVENED: 9:01 a.m.**

**ADJOURNED: 12:42 p.m.**

**Bureau Manager:**

Sally A. Stewart

**Board Secretary:**

Sally Canavan

**Board Members Present:**

Sharon Muir, Chairperson  
Hal Morrell  
Carolyn Redington  
Craig M. Sauer  
Jennifer Hanna

**Board Members Excused:**

None

**Guests:**

Roger Olbrot, Myotherapy College of Utah  
Allyson Robinson, DOPL Investigations  
Troy Bever, Self and N.A.M.T.A.R.P.  
Thomas Shurtz, Self  
Ron Findlay, AMTA – Utah Chapter  
Zachery Fountain, Murray City  
Kerry Cramer, SLC Health Department  
Brian Reid, SLC Health Department  
Walt Parker, DOPL Investigations  
Lynn Hooper, DOPL Investigations  
Kirk Jorgensen, AMTA – Utah Chapter

**DOPL Staff Present:**

Mark B. Steinagel, Division Director  
Neena Bowen, Compliance Specialist

#### **ADMINISTRATIVE BUSINESS:**

#### **DECISIONS AND RECOMMENDATIONS**

**MINUTES:**

The minutes from the July 19<sup>th</sup>, 2011 meeting were reviewed. Mr. Sauer made a motion, seconded by Ms. Redington to approve the minutes with two corrections. The motion passed unanimously.

**COMPLIANCE REPORT:**  
**Neena Bowen, Compliance Specialist**

**PROBATION INTERVIEWS:**  
**Jennifer Anna Boley**

Ms. Bowen gave the report on the probationers being seen today.

Ms. Redington interviewed Ms. Boley. The Board noted they have received her Employer Report. She stated she has completed CNA training, except for the State test. She stated it was an eye-opener, and a very sad environment. She stated it was a two week course, the training has opened some doors for her. She stated she can go more into medical massage. She stated she is trying to keep busy. Ms. Redington made a motion to amend #5i of her MOU to state she needs to work eight hours per month. There was no second and the motion died. After Board discussion Ms. Hanna made a motion, seconded by Mr. Morrell, to amend #5i of her MOU to state she needs to work in the field twenty hours in a month. The motion passed unanimously. The Board noted she must be supervised while working. She will receive a notice of the amended stipulation in approximately two weeks from the Division. The Board requested to see her at the November 15<sup>th</sup>, 2011 meeting. **Compliant**

**Meghan Marie Elvin**

Ms. Hanna interviewed Ms. Elvin. She stated she has just been moving, working and getting her daughter in kindergarten. She stated she has been having a hard time with the transition to Affinity, the new testing provider and to get a hold of them by 5:00 p.m. She stated she has just changed her work schedule and will now be able to call before the 5:00 pm deadline. She stated she is working two jobs in the field, but is working less than 40 hours per week. She stated she now calls for testing before she gets out of bed. She stated she called Ms. Bowen and was excused for testing while camping August 7<sup>th</sup>. The Compliance Unit stated they would check phone log but there were no notes on the paper file. The Board requested to see her at the November 15<sup>th</sup>, 2011 meeting.

**Non-Compliant**

**Scott Griffiths**

Mr. Griffith's probation has been on hold since January 2011. He stated at that time he was going Moab to check on massage work. The Division let him renew his license so he could work in Moab. Ms. Bowen checked his phone numbers and talked with his mother. Mother stated he is still in Moab, but not working in

**Scott Griffiths (continued)**

the field. His probation is still on hold and he is not working in the field. He is neither compliant nor non compliant. The Board requested Ms. Bowen follow up with him. His mother stated when she needs to get a hold of him she contacts his friends, they tell him his mom is trying to get a hold him, and he gives her a call.

**Caroline Cluff Hanlin**

Mr. Sauer interviewed Ms. Hanlin. She stated she is still fishing. She stated she is working 25-30 massages a week. She stated she is not experiencing any difficulty everything is going smooth. She noted for the Board, the sobriety chips are given for the first 24 hours, then next chip is at 30 days, then two months, and three months, then 6 months. She stated it is getting easier to stay compliant. Her boyfriend noted he keeps her busy. Affinity is requesting everyone doing the 12-Step Program through them record it on line. The Board requested to see her at the November 15<sup>th</sup>, 2011 meeting. **Compliant**

**Aaron Thomas Keefe**

Mr. Morrell interviewed Mr. Keefe. He stated he is doing good. He stated he is going to school and working at Kimberly Clark. He stated he has a hard time with the online stuff. The Board noted his son is a teenager and could help him become computer savvy. Affinity has requested he record his 12-Step Program through Affinity on line. He stated he called after 5:00 p.m. but did not listen to the entire recording, so the program did not record he had called. He stated now he has two alarms set, a.m. and p.m., because his shifts flip-flop. He stated he is going to school to teach Kung Fu and Yoga. He stated when his school program clears up he can commit to Kimberly Clark. The Board requested to see him at the November 15<sup>th</sup>, 2011 meeting. **Non-Compliant**

**Scott K Morrison**

Ms. Muir interviewed Mr. Morrison. Ms. Muir read Mr. Morrison's consent form. The Board determined his consent form was not acceptable as it attempted to sign away legal rights and did not state the reason for the consent form. The Board discussed how to fix his consent form and the Board noted his video stated over and over again to get training, not use the video as training. He stated he was aware the video said to get training. He sent in paperwork stating he had completed the Ethics portion of an online 49 hour class. He stated he was working on completing the rest of the

**Scott K. Morrison (continued)**

Professional Ethics Course. He stated he has been given an opportunity to do medical massage. Employer told him to run it past the Board since he would be working with geriatric patients. He is requesting to work on people privately. The Board noted his stipulation stated he needed a supervisor when working on women. The Board suggested he look at adding another female supervisor if Kathryn cannot be there. The Board stated he still needed supervision to work privately on women. His supervisor can only do a gratuitous massage. The Board requested to see him at the November 15<sup>th</sup>, 2011 meeting, **Compliant**

**Ronald J. Stoddard**

Mr. Morrell interviewed Mr. Stoddard. He stated he has not been able to find a job as a massage therapist anywhere. He stated he has looked hard. He stated he took as job a manual labor till that dried up. He is currently working as a receptionist at a Reiki house. That barely covers the cost of gas to get there. He just can't stay afloat financially. He stated he keeps trying to work the field of massage therapy as it is his career and he knows he needs to be compliant if he wants to keep his license. The Board noted he is clean cut and presents well for employment. He stated he has a family to support. The Board noted he could do a Voluntary Surrender of his license so he doesn't have so many requirements and stipulations right now and hopefully he can get better set financially. If he chooses that option his probation period will go on hold and the time he spends on hold, before reactivation, will just be added to the end of his total probation time. The Board suggested an employment agency might be able to help. The Board noted he will need to give a letter to Ms. Bowen to go on hold and to reactivate when he is ready. He stated he will give Ms. Bowen a letter today. **Non-Compliant**

**Charla Michele Tuttle**

Ms. Redington interviewed Ms. Tuttle by telephone. She lives in Enoch, Utah. The Board apologized for being late in calling her. She stated she was getting worried and freaking out. She stated she called everybody whose number she had. The Board stated they had received her employer report. Ms. Bowen stated she has been an excellent probationer. She checked in testing every day. Ms. Tuttle stated still has a breathalyzer (interlock) in her car. She gets rid of it

**Charla Michele Tuttle (continued)**

in November. She stated it is not too inconvenient, she just has to wait a couple of minutes to start car. She stated she worked 34 hours last week. The boss has been scheduling her mornings and evenings. When she has to work late and then early and it is a yes for testing she has really, really bad anxiety about the time and how to get there. The Board stated she should call Ms. Bowen if that concern arises. The Board noted there were very pleased with her progress and to keep doing a good job. The Board requested to see her at the November 15<sup>th</sup>, 2011 meeting. The Board noted that appointment could probably be a phone call interview.

**Compliant**

**NEW STIPULATIONS:**

**Alice Eileen Ray**

Mr. Sauer recused himself from the interview with Ms. Ray. Ms. Hanna interviewed Ms. Ray. She stated the past was a real learning experience. She stated she doesn't want that to happen ever again. She met a guy, was married and moved to South Weber to open her own business. Her husband had some medical issues, they are no longer together. She stated she was ready to work in the field but wanted to wait and see if there were any additional stipulations the Board may have. The Board noted she will need a supervisor and the Criminal and Administrative probations are different probations. She stated she is taking an essential oils class. She has not had a chance to meet with Ms. Bowen yet to go over her MOU, she will do that right after the Board meeting. The Board recommended she change the crowd she was hanging out with and move forward. She stated she is doing that. The Board requested to see her at the November 15<sup>th</sup>, 2011 meeting. **Compliant**

**Heather Holmes**

Ms. Holmes was to be a phone interview. She had given Ms. Bowen her cell phone number and requested the Board call during her lunch. Mr. Sauer and the Board called 15 minutes late, the Board missed contact with her. The Board left message, telling her to contact Ms. Bowen. **Non Compliant**

**DISCUSSION ITEMS:** meeting moved to Room 210 to accommodate people in attendance

**Definitions – Light Touch and Connective Tissue**

The Board and public discussed the definitions between Light Touch and Connective Tissue. The scope of practice for Massage Therapy is defined in part as “the systematic manual or mechanical manipulation of the soft tissue”. The soft tissue is defined as the muscles and related connective tissue.

**Definitions – Light Touch and Connective**

The League of Cities and Towns discussed with the Board the challenges they are having with some of the Reiki businesses. The group discussed many of the books use different definitions for the same terms. The Board determined that to clarify or further define the difference will require more discussion. The Board discussed Reiki and what kind of touch or non touch it might use.

### **Possible Legislation**

Mr. Reid from the Health Department stated there are many business license requests for Reiki Businesses. The Board discussed that people don't have to be licensed to do Reiki, with no regulations on the practice itself, it may seem easy to them to set up a business and practice an unregulated form of Reiki. The Board also discussed if Reiki were to be linked to massage therapy it could be helpful as far as regulating Reiki practices. The Board decided further discussion should be held regarding Reiki businesses and practices. The Board is interested to see how the Utah Massage Therapy Association views the subject and requested information from them for further discussion.

### **Apprenticeship Transfer Options**

The Board determined to hold this discussion at another Massage Therapy Board meeting.

### **NEXT SCHEDULED MEETING:**

Tuesday, November 15<sup>th</sup>, 2011

### **ADJOURN:**

**12:42 p.m.** (no motion required)

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

November 17<sup>th</sup>, 2011  
Date Approved

(ss) Sharon Muir, Chairperson  
Board of Massage Therapy

November 17<sup>th</sup>, 2011  
Date Approved

(ss) Sally A. Stewart, Bureau Manager  
Division of Occupational & Professional Licensing